

What is a Zoning By-law Amendment?

If a proposed use or structure on a property does not meet the requirements of the Zoning By-law, the owner may apply for a Zoning By-law amendment, also known as a 'rezoning'. A proposed zoning change must conform to the Official Plan, or an Official Plan amendment may also be required.

The decision to approval or deny a Zoning By-law Amendment is made by the Municipal Council. Section 34 of the *Planning Act* sets out the process and requirements for Zoning By-law amendment applications.



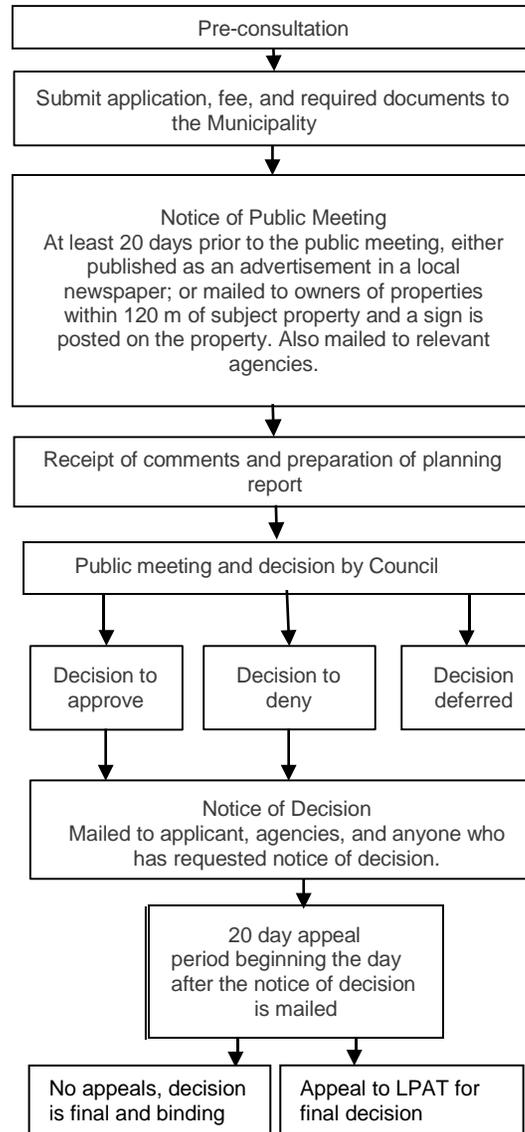
Application

Forms are available [online](#) or at the municipal office. Completed applications and fee(s) are submitted to the Municipal office. Fees are as per the current "Fees and Charges" By-law. The form for a Zoning By-law Amendment is the same form used for Official Plan amendments.

The time from submission of a complete application to a final decision is approximately 4 months.

*Additional fees may apply; for example, if the application needs to be reviewed by the Conservation Authority and/or the Perth County Health Unit.

Zoning By-law Amendment Process



This pamphlet is intended to provide preliminary information only.

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GUIDE TO THE ZONING BY-LAW AMENDMENT PROCESS

For more information, contact:
 Municipality of West Perth Planning Department
 169 St David Street, Mitchell, ON N0K 1N0
 519-348-8429 Extension 259
 E-mail: planner@westperth.com
 Website: www.westperth.com

"Come for the day. You may just stay for a lifetime!"

Application Process

1. Preconsultation

Contact the Municipality of West Perth's Planning Department at 519-348-8429 Extension 259 or the Municipal office to arrange a meeting with the Planner. Applicants are strongly encouraged to have a pre-consultation meeting with the Planner before they submit an application. During this meeting, the details of the proposal will be discussed to determine if a Zoning By-law Amendment is the best approach and how to apply. The Planner, in consultation with other Municipal staff, will help you understand the process and assist in finding solutions to problems.

2. Complete an Application

Please ensure all questions in the application form are answered and detailed explanations are given, especially for #7.3 (proposed use of the land). Also ensure that the application is accompanied with a sketch or copy of a survey showing the property layout, as well as the applicable application fee. Planning application forms are available [online](#); or you may ask the Municipality for a copy.

3. Submit Application and Required Documents

Submit the application, sketch, and fee to the municipal office. You may wish to call the municipal office in advance to ensure a Commissioner is available to sign the application form. The contact number for the Municipal office is 519-348-8429.

Application Process (cont.)

4. Notice of Public Meeting

If the information in the application form is complete, a public meeting date is set for the application to be heard by the Municipal Council. Notification of the public meeting will be either published in a local newspaper at least 20 days prior to the meeting; or sent by mail to neighbouring property owners within 120 metres of the subject property. A sign displaying details of the public meeting is also posted on the subject site if a mailed notice is used. Copies of the application may be circulated to the Council, municipal staff and external agencies such as the Conservation Authority and Health Unit to obtain comments. The Planner will review the application against provincial, county, and local policies, consider all comments received, and conduct a site visit prior to preparing a planning report.

5. Public Meeting and Decision

At the public meeting, the Planner will present the planning report and recommendation to the Municipal Council. Those present are given the opportunity to speak. Council may make a decision following the public meeting, or at a later date.

6. Notice of Decision

A notice of the decision which identifies appeal rights is mailed to the applicant. It is also sent to any members of the public who provided written comments or attended the public meeting and who requested to be notified of the decision of Council. This notice will be sent out within 15 days after the public meeting. Listed on this notice is the last day for appeals, which is 20 days from the day after the notice is mailed.

Application Process (cont.)

7. Decision is in Effect

If there are no appeals, the applicant will receive a "Final Declaration". If the application has been approved, the applicant will be able to apply for a building permit and be in compliance with the zoning by-law. Ask the Planner if you have any questions about the decision.



A decision only becomes final and binding if there are no appeals within the twenty day appeal period.

Appeals

Any person who spoke at the public meeting or sent a written submission to the Clerk can appeal the decision of Council within the 20 day appeal period. Appeals are decided by the Local Planning Appeal Tribunal (LPAT). Those wishing to appeal must submit a completed Appellant Form to the Municipal Clerk along with the \$300 filing fee payable to the Minister of Finance. Website: <http://elto.gov.on.ca/tribunals/lpat/about-lpat/>

Further Information

For more specific information related to individual applications, or for assistance in completing applications, please call:

519-348-8429 Ext. 259
Ask for the Planner